

Message

From: D'Andrea, Michael [DANDREA.MICHAEL@EPA.GOV]
Sent: 6/15/2017 1:15:54 PM
To: Rodrigues, Cecil [rodrigues.cecil@epa.gov]; rogers, rick [rogers.rick@epa.gov]; Armstead, John A. [Armstead.John@epa.gov]
CC: Lueckenhoff, Dominique [Lueckenhoff.Dominique@epa.gov]; Libertz, Catherine [Libertz.Catherine@epa.gov]; Campbell, Dave [campbell.dave@epa.gov]; schaffer, joan [schaffer.joan@epa.gov]; White, Terri-A [White.Terri-A@epa.gov]; Searfoss, Renee [searfoss.renee@epa.gov]; Lewis, Jacqueline [Lewis.Jacqueline@epa.gov]; daw, harry [daw.harry@epa.gov]; Bennett, James [bennett.james@epa.gov]; Crumlish, Karen [Crumlish.Karen@epa.gov]; Reynolds, Lori [Reynolds.Lori@epa.gov]; Duchovnay, Andrew [Duchovnay.Andrew@epa.gov]; Ferrell, Mark [Ferrell.Mark@epa.gov]; Armstead, John A. [Armstead.John@epa.gov]
Subject: RE: FYI

EPA statement has already been revised to the following:

EPA is committed to protecting public health and supporting states and public water systems as the appropriate steps to address the presence of GenX in drinking water are determined. Under the Safe Drinking Water Act, EPA undertakes extensive evaluations of contaminants and uses the best available peer reviewed science to identify and regulate contaminants of that present meaningful opportunities for health risk reduction. EPA has not established a drinking water regulation, health advisory or health based benchmark for GenX in drinking water because of the limited data on health effects and occurrence in drinking water. The agency will work closely with the states and public water systems to continue assessing the scientific data on the risks of these contaminants and to determine the appropriate next steps to ensure public health protection.

From: Rodrigues, Cecil
Sent: Thursday, June 15, 2017 8:46 AM
To: D'Andrea, Michael <DANDREA.MICHAEL@EPA.GOV>; rogers, rick <rogers.rick@epa.gov>; Armstead, John A. <Armstead.John@epa.gov>
Cc: Lueckenhoff, Dominique <Lueckenhoff.Dominique@epa.gov>; Libertz, Catherine <Libertz.Catherine@epa.gov>; Campbell, Dave <campbell.dave@epa.gov>; schaffer, joan <schaffer.joan@epa.gov>; White, Terri-A <White.Terri-A@epa.gov>; Searfoss, Renee <searfoss.renee@epa.gov>; Lewis, Jacqueline <Lewis.Jacqueline@epa.gov>; daw, harry <daw.harry@epa.gov>; Bennett, James <bennett.james@epa.gov>; Crumlish, Karen <Crumlish.Karen@epa.gov>; Reynolds, Lori <Reynolds.Lori@epa.gov>; Duchovnay, Andrew <Duchovnay.Andrew@epa.gov>; Ferrell, Mark <Ferrell.Mark@epa.gov>; Armstead, John A. <Armstead.John@epa.gov>
Subject: RE: FYI

Thanks. Rick/Dom a call to WVDEP would be prudent. Heads up to congressional?

From: D'Andrea, Michael
Sent: Thursday, June 15, 2017 8:42 AM
To: rogers, rick <rogers.rick@epa.gov>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Armstead, John A. <Armstead.John@epa.gov>
Cc: Lueckenhoff, Dominique <Lueckenhoff.Dominique@epa.gov>; Libertz, Catherine <Libertz.Catherine@epa.gov>; Campbell, Dave <campbell.dave@epa.gov>; schaffer, joan <schaffer.joan@epa.gov>; White, Terri-A <White.Terri-A@epa.gov>; Searfoss, Renee <searfoss.renee@epa.gov>; Lewis, Jacqueline <Lewis.Jacqueline@epa.gov>; daw, harry <daw.harry@epa.gov>; Bennett, James <bennett.james@epa.gov>; Crumlish, Karen <Crumlish.Karen@epa.gov>; Reynolds, Lori <Reynolds.Lori@epa.gov>; Duchovnay, Andrew <Duchovnay.Andrew@epa.gov>; Ferrell, Mark

<Ferrell.Mark@epa.gov>; Armstead, John A. <Armstead.John@epa.gov>

Subject: RE: FYI

As a followup to Rick's email from yesterday, please see below for the EPA statement on GenX (drafted by OCSPP & OW, and approved by OPA).

As an FYI – please also see immediately below for a link to a press release that North Carolina DEQ issued yesterday. It

Ex. 5 Deliberative Process (DP)

As a reminder, there is a meeting today between state/local officials and Chemours, which will include a press conf. EPA is not attending the meeting. Please see below for an article about today's meeting.

R3 could get some questions if issues about the Parkersburg's facility come up. The approved statement is all EPA is saying at this point.

Mark Ferrell has advised us that there is some knowledge within the community about GenX production in WV.

NC DEQ Press Release

<https://deq.nc.gov/deq-dhhs-investigating-reports-unregulated-chemical-cape-fear-river>

Article on Today's Mtg

<http://whqr.org/post/genx-can-we-drink-water#stream/0>

EPA Statement on GenX

The EPA is working to gather more information on GenX, which is a compound not regulated under the Clean Water Act or Safe Drinking Water Act. The agency is committed to supporting states and public water systems as EPA collects and evaluates scientific data to determine the appropriate next steps.

From: rogers, rick

Sent: Wednesday, June 14, 2017 6:42 PM

To: D'Andrea, Michael <DANDREA.MICHAEL@EPA.GOV>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Armstead, John A. <Armstead.John@epa.gov>

Cc: Lueckenhoff, Dominique <Lueckenhoff.Dominique@epa.gov>; Libertz, Catherine <Libertz.Catherine@epa.gov>; Campbell, Dave <campbell.dave@epa.gov>; schaffer, joan <schafer.joan@epa.gov>; White, Terri-A <White.Terri-A@epa.gov>; Searfoss, Renee <searfoss.renee@epa.gov>; Lewis, Jacqueline <Lewis.Jacqueline@epa.gov>; daw, harry <daw.harry@epa.gov>; Bennett, James <bennett.james@epa.gov>; Crumlish, Karen <Crumlish.Karen@epa.gov>; Reynolds, Lori <Reynolds.Lori@epa.gov>; Duchovnay, Andrew <Duchovnay.Andrew@epa.gov>

Subject: RE: FYI

Enforcement Confidential Information included, below.

Just wanted to get a summary update out on what we know (or mostly, don't know) about this PFC compound involving Chemours and their facility in Fayetteville, NC. If anything, we'll be learning new acronyms:

- We are still awaiting a revised desk statement being worked on by OCSPP and OW.
- The compound, referred to as GenX, is in a group of chemicals called perfluoroalkyl ether carboxylic acid (PFECAs), so it is a subset of the polyfluoroalkyl substances (PFAS).
- GenX has been manufactured since 2010 as an alternative to PFOA. Chemours was reported to have told NC officials that it also manufactures GenX at its Washington Works Parkersburg, WV plant.

- A paper published in the November 10, 2016 issue of Journal *Environmental Science and Technology* reported the detections of PFCs in raw river water, partially treated drinking water and finished, treated drinking water downstream of “a PFAS manufacturer”. Detections included PFOA and 9 other “legacy” PFAS as well as seven recently discovered PFECAs.

Ex. 5 Deliberative Process (DP)

- EPA’s Unregulated Contaminant Monitoring Rule required testing for 8 PFAS compounds all considered legacy PFAS compounds.
- OCSPP in HQ issued a TSCA pre-manufacture consent order to DuPont in 2009 for the manufacture of GenX . This order included an emissions capture and recycling requirement of 99%. Region 4 is planning an inspection of the Chemours Fayetteville Facility to determine compliance with the 2009 TSCA order. Much of the information regarding the GenX compound is protected under CBI.
- Region 4 will keep us informed of any new developments

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From: D'Andrea, Michael

Sent: Wednesday, June 14, 2017 11:00 AM

To: Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Armstead, John A. <Armstead.John@epa.gov>

Cc: Lueckenhoff, Dominique <Lueckenhoff.Dominique@epa.gov>; rogers, rick <rogers.rick@epa.gov>; Libertz, Catherine <Libertz.Catherine@epa.gov>; Campbell, Dave <campbell.dave@epa.gov>; schaffer, joan <schaffer.joan@epa.gov>; White, Terri-A <White.Terri-A@epa.gov>; Searfoss, Renee <searfoss.renee@epa.gov>; Lewis, Jacqueline <Lewis.Jacqueline@epa.gov>

Subject: FW: FYI

Importance: High

My R4 counterpart called me and sent this email as a heads up on an issue with GenX (Chemours replacement for C8) which has been found in the Cape Fear NC Watershed.

There is a mtg and press event tomorrow with the company and state/local officials. OCSPP may be going for EPA. Suppose to be a call this morning with R3 TSCA and Water staff because this chemical is also being produced in WV. We'll keep you informed and let you know as we find out more.

Mike

From: Lincoln, Larry
Sent: Wednesday, June 14, 2017 10:26 AM
To: D'Andrea, Michael <DANDREA.MICHAEL@EPA.GOV>; White, Terri-A <White.Terri-A@epa.gov>
Subject: FYI
Importance: High

Mike,

Here's a follow up to our phone call. Sorry for the length of this message, but I wanted to try to provide as much info as possible.

I wanted you to be aware of a developing situation in North Carolina that may extend to your region. The issue has generated a variety of stories in the media, citizen letters and calls, and a Congressional, and we anticipate more.

Vaughn Hagerty, a journalist for the StarNews in Wilmington is working on a story about PFASs, including GenX, in some drinking water systems in New Hanover and Brunswick counties. Among other sources, the reporter is referencing the paper "Legacy and Emerging Perfluoroalkyl Substances Are Important Drinking Water Contaminants in the Cape Fear River Watershed of North Carolina." He is inquiring about the advisory level for PFOS/PFOA, and possible health concerns. OCSPP previously reviewed the premanufacture submission and issued a consent order covering operations in the U.S. A number of other reporters are also asking about the levels of contaminants in the Cape Fear River Watershed. Since the initial story, there have been numerous follow-on stories, and requests for information.

Ex. 5 Deliberative Process (DP)

NOTE: During preparation for the meeting, R4 learned that the company is also producing GenX at a facility in West Virginia. The region is arranging a call this morning with R3 counterparts to bring them up to speed on the situation.

Chemours will be meeting with local officials to discuss the GenX situation on Thursday, June 15 at the New Hanover County Government Center. (See story link below). There will be a media pool reporter in attendance, and also a scheduled post-meeting press conference. The meeting is private and not open to the public.

HQ OPA has approved the following statement and background information.

Holding statement:

“EPA is working to gather more information on this matter and will review and determine next steps.”

Background info:

In 2009, EPA and DuPont entered into a consent order that required DuPont to recover, capture or recycle GenX from air emissions and water discharges at the company’s facilities in the United States at a rate of 99 percent. In its review of the GenX premanufacture submission, or approval to make the chemical, EPA determined that GenX could go to market if the conditions of the consent order were met.

We have discussed the need for additional communications guidance and materials at length with HQ, OCSPP, OECA, and OW. As a result, OCSPP and OW have been asked to develop an updated statement.

Larry

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